

2005 DRAFTING REQUEST

Bill

Received: **01/31/2006**

Received By: **pkahler**

Wanted: **As time permits**

Identical to LRB:

For: **Alberta Darling (608) 266-5830**

By/Representing: **Dave Volz**

This file may be shown to any legislator: **NO**

Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Insurance - other insurance**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Darling@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Payment of excess funds

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 01/31/2006	kfollett 01/31/2006		_____			
/1			pgreensl 01/31/2006	_____	sbasford 01/31/2006	mbarman 02/02/2006	

FE Sent For:

<END>

→ Not Needed

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/?	pkahler	1/15 f 1/31	V 3/1 PS	V 3/1 PS 1/15			

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<END>

STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

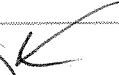
AB 737

Darling
Dare

do a Senate
companion
to AB 737

Senate

if include amendment





State of Wisconsin
2005 - 2006 LEGISLATURE

45261
LRB-3267/2

PJK:kjtpg

"Kay" kjf

2005 ~~ASSEMBLY~~ BILL ~~737~~

D-note

October 6, 2005 - Introduced by Representatives GIELOW, NISCHKE, AINSWORTH, ALBERS, BIES, GUNDERSON, HAHN, HINES, HUNDERTMARK, MCCORMICK, NERISON, OTT and STRACHOTA, cosponsored by Senators DARLING, LASSA and ROESSLER. Referred to Committee on Insurance.

Regen

- 1 AN ACT to amend 619.04 (6) (a) of the statutes; relating to: return of funds in
2 excess of surplus and incurred liabilities.

Analysis by the Legislative Reference Bureau

Under current law, the commissioner of insurance is required to promulgate rules establishing a plan of health care liability that offers professional health care liability coverage for health care providers. The statutes specify the make-up of the board of governors that operates the plan and how rates are to be determined. If the plan accumulates funds in excess of incurred liabilities and the surplus required under law, the board of governors is required to return those excess funds, by means of refunds or prospective rate decreases, to the insureds, who may be employees of the health care providers or other persons that actually paid the premiums. This bill requires the board of governors to return those excess funds to the persons that paid the premiums, rather than to the insureds.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 3 SECTION 1. 619.04 (6) (a) of the statutes is amended to read:
4 619.04 (6) (a) If the plan accumulates funds in excess of the surplus required
5 under s. 619.01 (1) (c) 2. and incurred liabilities, including reserves for claims

ASSEMBLY BILL 737

1 incurred but not yet reported, the board of governors shall return those excess funds
2 to the insureds persons that paid the premiums by means of refunds or prospective
3 rate decreases.

4

(END)



Insert 2-3

D-note

Date

LRB-4526/1dn
PJK:kjf

If for some reason the Assembly does not
pass the amendment to AB 737, I can
draft an amendment to this bill that
removes the initial applicability section,
if you wish.

PJK



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBa1811/1
PJK:jld:rs

ASSEMBLY AMENDMENT ,
TO 2005 ASSEMBLY BILL 737

Insert 2-3

1 At the locations indicated, amend the bill as follows:

2 1. Page 2, line 3: after that line insert:

3 SECTION 2m. Initial applicability.

4 (1) This act first applies to the return of excess funds attributable to policies
5 issued or renewed on the effective date of this subsection.

6 (END) of insert 2-3)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4526/1dn

PJK:kjf:pg

January 31, 2006

If for some reason the Assembly does not pass the amendment to AB737, I can draft an amendment to this bill that removes the initial applicability section, if you wish.

Pamela J. Kahler
Senior Legislative Attorney
Phone: (608) 266-2682
E-mail: pam.kahler@legis.state.wi.us

Barman, Mike

From: Volz, David
Sent: Thursday, February 02, 2006 11:40 AM
To: LRB.Legal
Subject: Message from LRB website

Please jacket bill draft LRB 4526/1. Thank you.

David Volz
Office of Sen. Darling